



*A Proposal to Conduct a
Disparity/Availability
Study for the
State of Montana
Department of
Transportation
#HWY - 308090-RP*



Wilson Consulting Group, LLC

*Laurel Oaks Plaza
309-1 Ponce Boulevard
Jacksonville, Florida 32218*

October 27, 2006

*A Proposal to Conduct a
Disparity/Availability Study for the
State of Montana
Department of Transportation
#HWY - 308090-RP*

Submitted to:

Purchasing Services Bureau
Montana Department of Transportation
2701 Prospect Avenue
P.O. Box 201001
Helena, MT 59620-1001

Submitted by:



Wilson Consulting Group, LLC

*Laurel Oaks Plaza, 309-1 Ponce Boulevard
Jacksonville, Florida 32218*

October 27, 2006



STATE OF MONTANA REQUEST FOR PROPOSAL

(THIS IS NOT AN ORDER)

RFP Number:
HWY- 308090-RP

RFP Title:
Disparity/Availability Study

RFP Due Date and Time:
**October 27, 2006
3:00 pm, Local Time**

Number of Pages: 37
Number of Attachments: 0

ISSUING AGENCY INFORMATION

Procurement Officer:
Richele Parkhurst

Issue Date:
September 1, 2006

**Purchasing Services Bureau
Montana Department of Transportation
P.O. Box 201 001
Helena, MT 59620-1001**

Phone: (406) 444-7226
Fax: (406) 444-7613

State's Solicitation Website:
hUplANww.d6coveringmontanazon-ddoakjsd

INSTRUCTIONS TO OFFERORS

Return in a Sealed Package Marked on the
Face as Shown:

**#HWY - 308090-RP
Purchasing Services Bureau
Montana Department of Transportation
2701 Prospect Avenue
P.O. Box 201001
Helena, MT 59620-1001**

Accommodation Information:

MDT attempts to provide accommodations for any known **disability that may interfere with a person** participating in any service, program or activity of the Department. Alternative accessible formats of this **information will be provided upon request.** For further information call Richele Parkhurst at (406) 657-0274 Voice or 1-800-335-7592 TTY or TTY (406) 444-7696.

IMPORTANT: SEE STANDARD TERMS AND CONDITIONS

OFFERORS MUST COMPLETE THE FOLLOWING

Offeror Name/Address:

D. Wilson Consulting Group, LLC
Laurel Oaks Plaza, 309-1 Ponce Boulevard
Jacksonville, Florida 32218

Authorized Offeror Signatory:

Deirdre D. Kyle

(Please print name and sign in ink)

Offeror Phone Number:

(904) 757-9300

Offeror FAX Number:

(904) 757-0870

Offeror Federal I.D. Number:

04-3827701

Offeror E-mail Address:

ddkyle@comcast.net

OFFERORS MUST RETURN THIS COVER SHEET WITH RFP RESPONSE

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Disparity/Availability Study Proposal

D. Wilson Consulting Group, LLC is a young, DBE firm that was formed in of August 2005. While the company is young, the proposed team represents some of the best talent in the field of disparity studies. **Our proposed team is completely made up of DBE, MBE and WBE firms.** The majority of the team members have worked together on many projects while associated with another firm. Overall, we have served as Partner-In-Charge, Project Director or team leaders for over 30 disparity and/or availability studies, including *Gross Seed Company v. Nebraska Department of Road and United States Department of Transportation, Case No. 4:00CV3073*.

The depth of the project team is so strong that each team has experience in managing several studies simultaneously; therefore, any team member is capable of stepping in and managing any portion of the work outline in this proposal. In addition, there are several other professional team members that can and will be utilized as support on each objective. Our office provides staff for administrative support as well as data analysts. Our firm has developed proprietary software and programming that will allow the most complex analyses.

D. Wilson Consulting Group has the necessary financial resources to conduct a high quality Disparity Study for the State.

D. Wilson Consulting Group, LLC is pleased to submit to the Montana Department of Transportation, our response to its Request for Proposals. The following pages will outline our Management and Technical abilities in the point by point response format, as required within the Request for Proposals.

1.0 Project Overview – D. Wilson Consulting Group understands and will comply.

1.1 Contract Term – The term of the contract will be 1 year.

1.2 Single Point of Contact- D. Wilson Consulting Group understands and will comply.

1.3 Definition of Terms - D. Wilson Consulting Group understands and will comply.

1.4 Required Review - D. Wilson Consulting Group understands and will comply.

1.5 General Requirements – D. Wilson Consulting Group understands and will comply.

1.6 Submitting a Proposal - D. Wilson Consulting Group understands and will comply.

1.7 Cost of Preparing a Proposal - D. Wilson Consulting Group understands and will comply.

2.0 Authority - D. Wilson Consulting Group understands and will comply.

2.1 Offeror Competition - D. Wilson Consulting Group understands and will comply.

2.2 Receipt of Proposals and Public Inspection - D. Wilson Consulting Group understands and will comply.

2.3 Classification and Evaluation of Proposals - D. Wilson Consulting Group understands and will comply.

2.4 State's Rights Reserved - D. Wilson Consulting Group understands and will comply.

3.0 Background - D. Wilson Consulting Group understands and will comply.

3.1 Purpose - D. Wilson Consulting Group understands and will comply.

3.2 Objectives - D. Wilson Consulting Group understands and will comply.

3.3 Scope - D. Wilson Consulting Group understands and will comply.

3.4 Tasks - D. Wilson Consulting Group understands and will comply.

3.5 Meetings and Deliverables - D. Wilson Consulting Group understands and will comply.

4.0 State's Right to Investigate and Reject - D. Wilson Consulting Group understands and will comply.

4.1 Offeror Informational Requirements - D. Wilson Consulting Group understands and will comply

4.1.1. References -

The following pages describe and give references for similar projects the D. Wilson Consulting Team has recently completed.

State of Nebraska Department of Roads, a Government Agency - Conducted an Availability Study. The study was conducted during a challenge to its DBE program. Ms. Kyle served as the Partner-In-Charge and Project Manager. Ms. Kyle provided expert witness services including assisting with litigation strategy, providing depositions and trial testimony. Dr. Ling conducted the statistical analyses and testing.

Gross Seed Company v. Nebraska Department of Road and United States Department of Transportation, Case No. 4:00CV3073, Federal District Court 2001. Ms. Kyle served as Partner-in-Charge of the study and provided litigation support for the Nebraska Department of Roads' 2000 DBE goal-setting plan. She assisted the defense by developing narrowly tailored DBE goals and providing expert witness services, deposition and trial testimony. Study members included Jeff Ling, PhD., Tameka Richardson. The study dates were: November 1999 – December 2001.

Mr. Joe Kisicki, Highway Civil Rights Coordinator
(402) 479-4531

Jacksonville Transportation Authority (Florida), a Government Agency - Partner-in-Charge of a study to conduct an assessment of the Disadvantaged Business Enterprise and Minority Business Enterprise programs for the Jacksonville Transportation Authority to create an operational plan to reengineer the programs. The review also assessed JTA's goals and achievement of those goals, process improvement, strategic planning, and an update of policies and procedures to comply with the latest federal regulations. Study members included Tameka Richardson. Dates of Service: January 2002 – March 2003.

Ms. Jacquie Gibbs, Chief of Staff
(904) 630-3130

West Virginia Department of Transportation, a Government Agency - Partner-in-Charge of a capability analysis for the West Virginia Department of Transportation. Responsible for overseeing the progression of data collection, the business survey of available vendors, and the calculation of a capability index in order to readjust DBE program goals. Study members included Jeff Ling, Ph.D. Study dates were: May 1998- March 2003

Ms. Phillipa White, Transportation EO Officer
(304) 558-9363

The following pages are current letters of recommendation for Ms. Kyle's work while employed by another firm.



Dave Heineman
Governor

June 8, 2006

STATE OF NEBRASKA

DEPARTMENT OF ROADS

John L. Craig, Director

1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759
Phone (402)471-4567 • FAX (402)479-4325 • www.dor.state.ne.us

To Whom It May Concern:

This letter is to serve as a strong recommendation for Deirdre D. Kyle. Ms. Kyle's extensive experience in conducting availability and disparity studies makes her an exceptional choice for any state or local entity requiring such studies related to the United States Department of Transportation Disadvantaged Business Enterprise program.

For the Nebraska Department of Roads, Deirdre Kyle managed a team that conducted market area, availability, and utilization analyses of Disadvantaged Business. She prepared a report outlining methodologies, findings, and recommendations and submitted recommended goals, including race- and gender-neutral alternatives, race- and gender-specific goals, and goal-setting methodologies.

In all of the foregoing, we found Deirdre Kyle's work to be exemplary, carefully prepared, and performed in an exceptional and efficient manner.

Subsequent to the study conducted by Ms. Kyle, a Federal lawsuit was filed challenging the legality of the Nebraska Department of Roads implementation of its DBE program. Deirdre Kyle spent many hours assisting legal staff in the preparation of the defense of the lawsuit. Ms. Kyle also was also a witness in the trial and provided expert testimony in support of her study and its goal setting methodology. The court determined that Ms. Kyle's study and goal setting methodology were valid and the Nebraska Department of Roads prevailed in the lawsuit. We were very impressed with Ms. Kyle and recommend her to without reservation.

I would be pleased to respond to any further questions you may have.

Sincerely,

A handwritten signature in cursive script that reads "Joe Kisicki".

Joe Kisicki
Highway Civil Rights Coordinator

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Center for Equal Opportunity
4201 East Arkansas Avenue, Emp 404
Denver, Colorado 80222
(303) 757-9303



March 9, 2006

To Whom It May Concern:

I am writing this letter of recommendation for Ms. Deirdre Kyle and her company, D. Wilson Consulting Group, because I believe her work is of the high standard that will assist others as they begin the critical process of conducting a Disparity/Availability study in their State. I know how challenging it is to select a consultant, conduct the study, and understand and communicate the results. In the end, the study that was conducted in Colorado has proved to be a valuable tool in implementing our Federal DBE program.

Ms. Kyle led the team of professionals that conducted Colorado's first study in 1998 and the subsequent update in 2001. Her work was exceptional and I feel comfortable relating that message to you.

Both the original study and the study update involved statistical analysis of CDOT's construction and design contracts, including market area, utilization, availability/capability, and disparity analyses. Public hearings and mail surveys were also conducted for the purpose of providing anecdotal data to support and compare to the statistical findings.

During the study period, as well as during a Federal court case concerning our Federal DBE program, Ms. Kyle provided critical support to my office as we communicated the results of the study to our Transportation Commission, Executive Management Team, and the Colorado Minority and Women business communities.

If you would like to discuss my experience in working with Ms. Deirdre Kyle, I invite you to call me at 303-757-9303.

Sincerely Yours,

Debra A. Gallegos, Manager
Center for Equal Opportunity



City of Phoenix

March 29, 2006

To Whom It May Concern:

I am pleased to provide this letter of reference for Ms. Deirdre Kyle, Principal, D. Wilson Consulting Group, LLC. During her period of employment with MGT of America, Inc., Ms. Kyle served as project director for the City of Phoenix 1999 Second Generation Disparity Study. She also performed work for the City in 1994 related to validation of data and information for Phoenix's first disparity study conducted by another contractor.

I worked closely with Ms. Kyle as the City's project director for the 1999 disparity study. Deirdre proved to be a consummate professional in her work on the study. During this time, she provided guidance to City staff in crafting a City disparity program that met all legal requirements. Her knowledge of case law and program requirements related to procurement and construction contracting was outstanding.

In addition, Ms. Kyle provided the necessary support to ensure that the project was on time and on budget. She was a reliable resource going above and beyond the call of duty to make herself available in assist City staff. She was also instrumental in working as part of the team to respond to information requests and inquiries related to the study from City elected officials and management, the community, and the media.

She is a talented and astute professional and it is with great enthusiasm that I provide this recommendation for Ms. Deirdre Kyle.

Sincerely,

Carole Coles Henry
Interim Deputy City Manager



DEKALB COUNTY

Morris E. Williams, III
Assistant County Administrator

March 20, 2006

To Whom It May Concern:

I am pleased to recommend Ms. Deirdre D. Kyle of D. Wilson Consulting Group, LLC to conduct an Availability and/or Disparity Study. Ms. Kyle served as the Principal-In-Charge and Project Manager for the DeKalb County Government's Disparity Study in 1998.

Ms. Kyle's leadership was demonstrated in multiple ways:

1. She lead the team of professionals that conducted the study;
2. She provided support to the Management staff of DeKalb County; and,
3. She was able to communicate to the Board of Commissioners in a manner that allowed them to fully understand the methodology of the study and its outcomes.

The study included complex data collection and statistical analyses, with the overriding issue of legal defensibility. The study included an analysis of the procurement of goods and services over a ten-year period. The categories of procurement included: construction related professional services; professional services; construction services; and procurement of goods.

Having worked with many consulting groups, I find that Ms. Kyle stands out among the rest. Ms. Kyle is ethical in conducting business and research.

If you would like to discuss her work further, please call me at 404-371-4721.

Sincerely,

Morris E. Williams, III
Assistant County Administrator

Maloof Administration Building / 1300 Commerce Drive / Decatur, Georgia 30030 / 404-687-3586/ Fax 404-371-2116

Printed on Recycled Paper

4.1.2. Resumes/Company Profile and Experience

Management/Quality Control. Wilson Consulting will involve the State's Project Manager (PM) in every aspect of the study. It is important that the PM understands every decision made and why. From the beginning Wilson Consulting will meet with the PM to review the proposed methodology, answer any question or concerns about the project and make adjustments if necessary. Following the initial meeting with the PM, Wilson Consulting will conduct a kick-off meeting with key personnel and community representatives to introduce the study team and discuss the approach and methodology. In addition, formal monthly reports will be presented to the study committee in its monthly status meetings. Another method of communication will utilize the weekly update meetings.

Another method of quality control will require the PM to review each critical step of the project. We expect challenges to the accuracy of the data collected and analyzed. If the process is followed, each representative from the State should be comfortable with the end product. Wilson Consulting Group will request the PM to approve each major milestone.

Internal management of the Wilson Consulting team will be carefully monitored with quality control checks; validation of work while in progress to ensure the accuracy and quality of work performed. Weekly team meetings will be held to share information collected or identified that may assist in other research categories.

If selected for the study, D. Wilson Consulting will have an office in Helena, Montana.

Wilson Consulting Group will be partnering with one other MBE/WBE firms, **Fields and Brown, LLC**. Fields and Brown, LLC engages in the general practice of law with an emphasis in the areas of labor and employment law, workers' compensation defense and insurance defense, and commercial litigation and transactions. It is the largest minority-owned law firm in the Kansas City area. Fields & Brown has attained a Legal Ability and General Recommendation Rating of "AV" in the Martindale-Hubbell Law Directory. The firm is listed in The Bond Buyer's Municipal Marketplace ("Red Book"), and attorneys in the firm are members of the National Association of Bond Lawyers. For this project Fields and Brown will be conducting the Anecdotal Analyses.

The following pages provide brief biographical summaries of each member of our proposed team; detailed resumes for each team member are included as an Appendix A to this proposal.

Project Management – Deirdre Kyle – D. Wilson Consulting Group

Ms. Deirdre Kyle - Ms. Kyle has 20 years of experience providing consulting services to federal, state and local governments and the private sector; most of those years as a Partner with a national consulting firm. Her career history includes working with State Agencies, primarily Departments of Transportation, local governments and transit agencies. Ms. Kyle's career has focused on economic studies of minority and women owned businesses, organizational reviews, strategic planning and human resource management. Her consulting experience includes conducting over 30 minority/women-owned business utilization (disparity) studies, diversity training, economic impact studies and development of public policy. These engagements required a multi-discipline approach including data analyses, legal research, anecdotal analyses, and statistics. Ms. Kyle has

significant experience in litigation support and is qualified as an expert witness for business and employment discrimination cases. Most recently Ms. Kyle served as the Chief Operating Officer for the Jacksonville Transportation Authority.

Availability and Statistical Analysis – Jeffrey Ling, Ph.D. – D. Wilson Consulting Group

Jeffrey Ling, Ph.D. - Dr. Ling's consulting experience includes statistical analyses and testing of over ten disparity studies. His statistical experience includes human resource management, strategic planning and public sector management. In addition, he has worked in domestic and international management for a variety of companies. He has taught at the College of Wooster, Florida State University and Iowa State University. Dr. Ling received his master's and doctoral degrees from Florida State University in political science and his bachelor's degree in political science from the University of Tampa. His past experience includes the State of Florida, State of West Virginia, State of Colorado, State of Nebraska, State of North Carolina, Broward County, City of Phoenix, Washington Suburban Sanitation Commission, and others. Dr. Ling will conduct the statistical testing of disparity, and private sector impact on DBE firms.

Utilization Analysis – Deirdre Kyle and Jeffrey Ling, Ph.D. – D. Wilson Consulting Group

Legal Support and Policies and Procedures – Charlotte Robinson, JD

Charlotte Robinson, J.D. - Charlotte Robinson has practiced law in Colorado for more than 23 years, specializing in transportation and environmental law. She was the Chief Transportation Counsel for the Colorado Department of Transportation (CDOT) from 1992 through October 1996, where she advised CDOT and the Transportation Commission on DBE issues from 1992 through October 1996. In 1997, she was retained by CDOT to oversee the first Disparity Study conducted by CDOT. As federal cases added legal requirements that state agencies had to comply with for their DBE programs, Charlotte assisted CDOT in changing their DBE program to withstand an anticipated Constitutional challenge. **She subsequently defended CDOT and the State of Colorado in the first *Adarand Constructors, Inc. v. Colorado* case.** As part of the D. Wilson Consulting Group, she is preparing the legal support and policies and procedures for the State of Alaska. Charlotte has prepared successful DBE provisions for many design-build projects, including the Transportation Expansion Project (T-REX), Colorado Springs Metropolitan Expansion Project (COSMIX), the New I-64 project and the Paseo Bridge project in Missouri, and the Re-TRAC project in Reno, Nevada.

Data Research Management – Tameka Richardson

Ms. Richardson has over 12 years of disparity study experience. She has participated in over 20 disparity studies by conducting data assessments, development of data collection plans, conducting quality control of data collection staff. Ms Richardson also collects, evaluates, and prepares research and/or other complex statistical data for a specific unit of the organization. Prepares statistical reports and participates in the analysis and interpretation of data as appropriate. Develops, maintains, and ensures quality control of databases as well assist in development and implementation of measurement systems.

Anecdotal Data Collection and Analyses – Carla Fields, J.D. – Fields & Brown, P.A.

Since 1998, Ms. Fields has supervised the disparity study experience for Fields & Brown. Specifically, under her supervision, Fields & Brown has conducted the legal analysis, policy and procedure analysis and anecdotal analysis for first generation, second generation and multi-jurisdictional studies. Ms. Fields' experience includes conducting an analysis of the legal requirements necessary to maintain remedial race and gender specific goal programs.

Ms. Fields has also conducted anecdotal analysis for several disparity studies. In conducting the anecdotal analysis, Ms. Fields developed interview instruments, survey instruments and focus group discussion materials designed to illicit information from business owners regarding their experience in contracting with the various Consortium agencies. In collecting anecdotal data, Ms. Fields' experience includes conducting individual interviews with business owners and conducting focus groups and public hearings. The data obtained is analyzed to determine contracting barriers experienced by business owners as well as contracting and purchasing patterns, policies, and practices of the agencies.

Ms. Fields also has extensive experience in evaluating agencies' contracting policies and procedures. For each study where policy and procedure analysis were conducted, Ms. Fields conducted face-to-face interviews with all departments responsible for contracting. Ms. Fields analyzed each department's contracting procedures and made recommendations to insure the procedures did not create barriers for M/WBEs attempting to contract with the specific agency.

Ms. Fields has participated in City of Phoenix Second Generation Disparity Study Update, St. Louis Area Consortium Disparity Study, City of Phoenix Second Generation Disparity Study, Fulton DeKalb Hospital Authority Disparity Study and Sacramento California Area Consortium Disparity Study.

Report Writing – All Team Members

Communication and collaboration is essential among the study team. The process Wilson Consulting uses is similar to defending a Dissertation. Each primary researcher is responsible for writing their chapter. It is then reviewed by all team members to ensure the opportunity for all to challenge the facts and data, provide comments from their research that might enhance the chapter. The report is then reviewed for editing.

Deirdre D. Kyle
Principal
D. Wilson Consulting Group, LLC

EDUCATION

B.S., Political Science, Florida State University

A.A., Education, Tallahassee Community College

RANGE OF EXPERIENCE

Ms. Kyle has 20 years of experience providing consulting services to federal, state and local governments and the private sector; most of those years as a Partner with a national consulting firm. Her career history includes working with State Departments of Transportation, and local transit and transportation agencies. Ms. Kyle's career has focused on organizational reviews, strategic planning and human resource management. Her consulting experience includes minority/women-owned business utilization (disparity) studies, diversity training, economic impact studies, and development of public policy. These engagements required a multi-discipline approach including data analyses, legal research, anecdotal analyses, and statistics. Ms. Kyle has significant experience in litigation support and is qualified as an expert witness for business and employment discrimination cases. Most recently Ms. Kyle served as the Chief Operating Officer for the Jacksonville Transportation Authority.

PROFESSIONAL HISTORY

D. Wilson Consulting Group, LLC, Principal, 2005 – Current

Jacksonville Transportation Authority, Chief Operating Officer, 2003 – 2005

MGT of America, Inc., Partner, 1998–2003; Principal, 1996–1998; Consultant, 1994–1996

Florida Department of Labor & Employment Security, Director of Civil Rights and Minority Affairs, 1991–1993

TEM Associates, Inc., Senior Management Analyst, 1990–1991

Steel Hector & Davis, Government Affairs Coordinator, 1989–1990; Recruitment Administrator, 1986–1988

Johnston/Smith Campaign for Governor, Office Manager, 1985–1986

Florida Department of Legal Affairs, Administrative Assistant, 1981–1985

PROFESSIONAL EXPERIENCE

D. Wilson Consulting Group, LLC

Provide professional consulting services to public and private organizations in the areas of transportation, policy research and development, management reviews, organizational development and minority and women business studies.

Jacksonville Transportation Authority

Under the general direction of the Executive Director, focuses on four primary areas of work including reengineering of the Agency's organizational structure, monitor accountability of performance achievement initiatives, supporting the CEO's office on special assignments and in representing the CEO when needed.

Balance creating and shaping the long-term vision and objectives of the organization with detailed and robust analysis on specific initiatives.

Regularly interact with and support the Authority's senior management team, Board of Directors and the CEO.

Develop and manage the Strategic Management Plan for the Authority. The Plan provides the opportunity for all employees to participate in identifying short to mid range action/work plans to accomplish the Authority's Strategic Plan and Core Values.

Establish and track measurements and accountability standards consistent with annual departmental work plans.

Serve as Internal Auditor by conducting scheduled and random financial and operating performance audits. Provide assistance to Department Directors' as operational processes arise, prior to becoming a candidate for auditing.

Ensure adequate operating procedures and policies are developed, documented and maintained throughout all areas to support technical and business requirements.

Represent Executive Director in providing the senior team with on-the-ground feedback, coaching, and decision making.

MGT of America, Inc.

Litigation Support

Partner-in-Charge of a project for the City of Baltimore, Maryland, to provide expert witness services.

Partner-in-Charge of a project that provided litigation support for the Illinois Department of Transportation in the form of reviewing data, preparing an Expert Witness report and depositions, and providing trial testimony.

Gross Seed Company v. Nebraska Department of Road and United States Department of Transportation, Case No. 4:00CV3073, Federal District Court 2001. Partner-in-Charge on a study to provide litigation support for the Nebraska Department of Roads' 2000 DBE goal-setting plan. Assisted the defense by

developing narrowly tailored DBE goals, and providing expert witness services, deposition, and trial testimony.

Mavis Jett v. Washington County School Board, Case No. 5:99CV13-SPM, Federal District Court of Northern Florida, 1999. Project Director of a project for Cummings, Hobbs, and Wallace to conduct a disparity and regression analysis for the employment discrimination case. Provided expert witness services in trial preparation and testimony in Federal Court.

Project Director for an employment disparity analysis in connection with an employment discrimination case for the School Board of St. Lucie County, Florida.

Project Manager of a litigation support study on the utilization of M/WBE prime and subcontractors in the construction industry by for the City of Phoenix.

Partner-in-Charge of a study for the Florida Office of the Attorney General to provide support in a lawsuit against the office by a current employee.

Team Leader responsible for the data collection team for the Florida Department of Legal Affairs' antitrust litigation team investigating bid rigging of Florida Department of Transportation road contracts.

Member of the data collection team for the Florida Department of Legal Affairs' antitrust litigation team investigating price fixing gas rates charged to the State of Florida by six major oil companies.

Availability Studies

Partner-in-Charge of a capacity analysis for the West Virginia Department of Transportation. Responsible for overseeing the progression of data collection, the business survey of available vendors, and the calculation of a capability index in order to readjust DBE program goals.

Integral part of the MGT team that analyzed the utilization and availability of firms for the clients listed below in accordance with 49 CFR 26. Served as MGT's Project Director for:

Colorado Department of Transportation. MGT collected Design and Highway Construction contracts for the period of FY 1990-91 through 1995-96 to determine the availability of firms to perform work. The availability of firms was based on information obtained from the United States Census Bureau, prequalified vendor lists, and statistical projections.

Dallas/Fort Worth International Airport Board. The availability study for this client included a review of construction and professional services contracts issued by the client between 1994 and 1999 to facilitate the client's submission of its DBE plan to the Federal Aviation Administration.

West Virginia Department of Transportation. MGT analyzed construction and consulting subcontracting activity and performed capacity analyses to determine the number of firms available to do work for this client. The analyses included a review of procurement activity occurring between 1996 and 1998.

City of Phoenix Aviation Department. MGT collected and analyzed utilization and availability data to assist this client with the submission of its DBE participation goals to the Federal Aviation Administration.

City of Phoenix Public Transit Department. In conjunction with the work tasks for this client's disparity study, MGT facilitated the preparation of this client's federal report to the Federal Highway Administration showing the client's utilization of DBEs and its aspirational goals for future participation.

Kansas City Area Transportation Authority. MGT estimated the availability of construction, professional services, other services, retail and wholesale firms using Census data and information from the MGT Availability Model.

Disparity Studies

Team Member on a project to conduct a disparity study for the Commonwealth of Virginia to determine if and to what extent a disparity existed between the utilization and availability of minority- and woman-owned business enterprises (M/WBEs) as contractors on Commonwealth contracts and subcontracts.

Partner-in-Charge of a project for Miami-Dade County, Florida, to conduct a six-month pre-disparity study.

Partner-in-Charge a study for the City of Charlotte, Mecklenburg County, and Charlotte-Mecklenburg Schools to examine whether there was significant evidence of past or present discrimination against racial and ethnic minorities or women by/or within the Charlotte marketplace for contracting.

Partner-in-Charge of a disparity study update for the Port Authority of New York and New Jersey. The multifaceted study involved preparing a report that included a review of current case law and procurement policies and procedures.

Partner-in-Charge of a project to provide a cultural diversity assessment and operational plan for the Gloucester County Public School System.

Partner-in-Charge of a study to review the Kansas Department of Transportation Disadvantaged Business Enterprise (DBE) goal pursuant to 49 CFR, Section 26.45. This study included a review of current case law, utilization, availability, and capacity analyses. The study provided recommendations for the DBE goal-setting methodology.

Partner-in-Charge of a study to conduct an assessment of the Disadvantaged Business Enterprise and Minority Business Enterprise programs for the Jacksonville Transportation Authority to create an operational plan to reengineer the programs. Assessed JTA's goals and achievement of those goals, process improvement, strategic planning, and an update of policies and procedures to comply with the latest federal regulations.

Partner-in-Charge and Project Director on a study to examine whether there was significant evidence of past or present discrimination against racial and ethnic minorities or women by or within the Newark marketplace in contracting for the Newark, New Jersey, Public School District.

Partner-in-Charge of the MGT study to advise the North Texas Toll-way Authority on establishing its Disadvantaged Business Enterprise participation goal and program policies.

Partner-in-Charge of a project to perform an update of the 1995 and 1996 disparity studies for the multi-jurisdictional governments of Dougherty County, and City of Albany, Water, Gas, and Light Commission.

Project Director of an analysis for the North Carolina Department of Administration of the procurement activity for the years succeeding the period covered in our previous disparity study.

Project Director for the State of Delaware Economic Development Office study to analyze all of the State's large public works contracts.

Project Director on a study to conduct market area, availability, and utilization analyses for the State of Nebraska, Department of Roads.

Project Director of a project to develop a County Ordinance and purchasing procedures manual for DeKalb County to create and implement a Small Local Business Program and a Minority Business Program. The plan also included the development of an overall goals program for the DeKalb Peachtree Airport.

Project Director on a disparity study for the City of Baltimore, Maryland to analyze the market area, utilization, availability and disparity of the City's contract awards to M/WBEs and non-M/WBEs.

Project Director of a Disparity Study for the Washington Suburban Sanitary Commission (Maryland). In addition to conducting the disparity study, the project team for this study helped the client modify its procurement procedures and implementation strategies.

Project Director for the Miami-Dade Community College disparity study. Managed all daily activities that included data collection and analyses, surveys, interviews, public hearings, and focus groups.

Project Director for the State of Colorado and Colorado Department of Transportation disparity study.

Project Director on a disparity study for the City of Little Rock, Arkansas. The study included six jurisdictions: the City of Little Rock; the Little Rock Visitors and Convention Bureau; the Little Rock Wastewater Utility; the Little Rock Water Works; and, the Central Arkansas Library System.

Project Director for the Dougherty County multi-jurisdictional disparity study that included: Dougherty County, the City of Albany, Dougherty County School Board, and the Water, Gas, and Light Commission.

Project Director for the State of South Carolina Department of Transportation's study of M/WBE participation in construction contracts.

Project Manager for the State of Florida disparity study that analyzed the utilization and availability procurement data for 38 state agencies and the university system.

Team Leader for the Broward Inter-Local Committee disparity study in Florida. Analyzed the utilization of minority and women-owned business in the procurement practices of four governmental agencies.

Team Member for the Palm Beach County School District disparity study. Coordinated two public hearings.

Second-Generation Disparity Studies

Ms. Kyle served in the following capacities on these second-generation studies conducted subsequent to the *Croson* decision. These studies were subject to stricter evidentiary requirements than that required for first-generation studies.

Disparity/Availability Study Proposal

Partner-in-Charge of the St. Louis Area Consortium study designed to determine whether or not evidence existed to continue remedial assistance in the contracting and purchasing processes to minority- and woman-owned business enterprises.

Partner-in-Charge of the Broward County Government, Florida study that analyzed the utilization and availability of M/WBEs and non-M/WBEs as well as Small, disadvantaged business enterprise (SDBE) utilization and availability.

Project Director for the study conducted for the City of Tallahassee to determine if there was disparity in the levels of contract awards to M/WBEs and if there was a compelling interest in the continuance of the City's remedial procurement program.

Project Director of the second-generation disparity study for the State of Maryland Department of Transportation. The comprehensive study included all state agencies, the State University System, and all Community Colleges.

Project Director for the City of Phoenix study that included the review of over 5,000 construction contracts, 75,000 general service contracts and 478,000 purchase orders.

Project Director for the Florida Department of Transportation's Disadvantaged Business Program study.

Project Director of a disparity study update for the North Carolina Department of Transportation.

Data Management Services

Partner-in-Charge of a project that conducted a utilization analysis for the City of Fort Worth, Texas.

Partner-in-Charge of a project with the West Virginia Department of Public Transit to assist in conducting a data assessment and developing FY 2003 Disadvantaged Business Enterprise goals.

Partner-in-Charge and Director of a project to perform data management of construction and consulting contracts let over a two-year period by the West Virginia Department of Transportation.

Equal Employment

Partner-in-Charge of a project that completed an overall compensation analysis to review for inequities within and across classes and to identify possible corrective action for the South Carolina Department of Public Safety.

Appointed by the Governor to serve on the Executive Committee of the Board of Directors for the Florida Coordinating Council for the Americans with Disabilities Act and establish guidelines for state agencies to comply with the ADA of 1990.

Developed and implemented a policies, procedures, and recruitment plan to increase the representation of minorities and women in upper management positions for the Florida Department of Labor and Employment Security.

Restructured and developed policies and procedures to administer the Florida Department of Labor and Employment Security's Minority and Women Business Enterprise Program.

Partner-in-Charge of a project to assist the State of Massachusetts with an assessment of women in the construction industry as well as recommendations on how the state should implement its associated programs.

Developed and implemented a minority-recruiting program for the second largest law firm in Florida. Increased the number of minority lawyers represented on the law firm's professional staff.

Recruitment Administrator for Steel Hector & Davis. Responsible for the continuous development of a professional legal recruiting program, which included interviewing, scheduling, program development, and performance evaluations.

Developed, implemented, and monitored an equal opportunity and affirmative action five-year plan for the Florida Department of Labor and Employment Security.

State and Local Government

Partner-in-Charge of a management review and evaluation of the procurement practices, policies, and procedures currently followed by the DeKalb County, Georgia, Government.

Team member for a comprehensive management review of Polk County, Florida, Human Services Department.

Project Director for a reengineering, classification, and compensation study for the City of Macon.

Team Member for a management review of developmental disability quality assurance review and contract monitoring processes in Florida's largest health and human services district.

Team Leader for a management study of a 400-bed residential facility for developmentally disabled and emotionally disturbed children and adults.

Governmental Affairs Coordinator for the second largest law firm in Florida. Organized, coordinated, and assisted in the development of a governmental and administrative law practice. Represented clients and the firm in front of state and local governmental bodies.

Office Manager for a gubernatorial campaign. Duties included: production of financial reports; organizing fundraisers; logistics; and grassroots coordination.

Administrative Assistant to the Attorney General of Florida. Scheduled appointments, drafted correspondence, and developed and maintained a functional database.

Miscellaneous Consulting

Director on a project that provided technical assistance for program implementation for the Dallas Fort Worth Airport.

Partner-in-Charge of an Economic Study for the City and County of Denver, Colorado.

Technical Adviser on a project that developed a strategic plan and conducted an organizational review of Bethune-Cookman College.

Team Leader on a study for Florida State University in the development of plans, which had been requested by the Florida State Legislature, to expand medical education programs. Completed six

legislatively mandated studies pertaining to medical care needs of historically underserved populations and access to medical education by minority students.

Senior Analyst responsible for reviewing and documenting custodial services at the Miami-Dade Community College. The information developed in this review was used to prepare a scope of services for an RFP to outsource these functions.

Restructured and developed policies and procedures to administer the Florida Department of Labor and Employment Security's Minority and Women Business Enterprise Program.

Analyst on the South Florida Water Management District's minority business availability and utilization study.

CONFERENCES, PRESENTATIONS, AND TRAINING

American Contract Compliance Association, 14th National Training Institute, August 30, 2000, Burlingame, California. Topic: "The Current Legal Environment for Disparity Studies."

MBE/EEO/Contract Compliance Conference, August 2, 1999, Charlotte, North Carolina. Topic: "Second Generation Disparity Studies."

American Association of State Highway and Transportation Officers (AASHTO) Subcommittee on Civil Rights, March 29, 1999, Seattle, Washington. Topic: "Process and Methodology Used in Conducting a Disparity Study."

The Metropolitan Intergovernmental Association of Equal Employment Officials, November 18, 1998, Atlanta, Georgia. Topic: "Effect of the Legal and Social Environment on Affirmative Action."

Facilitator of a training workshop on managing a Diverse Workforce for the Northwest Region of Leadership Florida. 1994

Legal Day Coordinator for the Florida Commission on Human Relations Third Annual Civil Rights Conference. 1994

Twelfth Annual Minority/Woman Business Enterprise, Equal Employment, Affirmative Action, and Contract Compliance Conference. Topic: "How does the ADA affect your M/WBE firm?" 1993

Developed and implemented a two-day training program to introduce and appreciate workforce diversity for entry-level employees of the Florida Department of Labor and Employment Security. 1992

Developed and implemented a three-day training program, "Manage a Diverse Workforce." This training program was designed for all middle managers and supervisors for the Florida Department of Labor and Employment Security. 1992

Facilitated and coordinated a public hearing for the Lt. Governor and six Department Secretaries of the State of Florida to receive testimony from migrant and seasonal farm workers regarding employment practices and discriminatory treatment. 1991

PUBLIC SERVICE AND PROFESSIONAL AFFILIATIONS

Downtown Vision Inc. - Member Board of Directors, 2004 – current

Jacksonville Urban League – Member Board of Directors, 2004 – current

Appointed by the Governor to serve on the Board of Directors for the Governor's Alliance for the Employment of Disabled Citizens, Inc. – 1992 - 1993

Deputy Director of Operations for the Florida Supreme Court Racial and Ethnic Bias Study Commission, 1991 - 1993

Served as a member of the Dade County Bar Association's Committee on Minority Hiring. Developed and implemented a recruiting and internship program for minority law students, 1989 – 1991

Jeffery Ling
D. Wilson Consulting Group, LLC

EDUCATION

Ph.D., Political Science, Florida State University, 1996

M.S., Political Science, Florida State University, 1993

B.A., Political Science, University of Tampa, 1990

RANGE OF EXPERIENCE

Dr. Ling's experience includes strategic planning, statistical analysis, research methodology, data management, technology analysis, change management, and risk analysis. Dr. Ling has taught courses addressing research methodology, statistical analysis, technological innovations, and political economy at various universities. Similarly, he has planned, organized, and managed studies on survey analysis, government efficiency, technology planning, information utilization, public opinion, market expansion, and privatization. Each of these studies dealt with summarizing major alternatives for decision-makers and providing viable recommendations. Dr. Ling has consulting experience in state and local government evaluation, research management, efficiency analysis, survey analysis, statistical modeling, and technology planning.

PROFESSIONAL AND BUSINESS HISTORY

Evergreen Solutions, LLC, Executive Vice President, August 2005 – present

MGT of America, Inc., Partner, May 2004–present; Principal, September 2000–April 2004; Senior Associate, November 1999–September 2000; Senior Consultant, April 1999–November 1999; Consultant, 1998–1999; Senior Analyst, May 1998–November 1998

The College of Wooster, Assistant Professor, 1997–1998

Iowa State University, Visiting Scholar, 1995–1997

Florida State University, Research Assistant, 1992–1995

Stinger Systems, Market Analyst, 1990–1992

PROFESSIONAL AND BUSINESS EXPERIENCE

MGT of America, Inc.

Disparity Studies

Statistical Analysis Team Member on a study to examine whether there was significant evidence of past or present discrimination against racial and ethnic minorities or women by or within the Newark marketplace in contracting for the Newark, New Jersey, Public School District.

Team member on an update of MGT's 1998 Colorado Department of Transportation disparity study. The update involved statistical analysis of CDOT's construction and design contracts, including market area, utilization, availability/capability and disparity analyses.

Disparity/Availability Study Proposal

Consultant on a disparity study for the West Virginia Department of Transportation. Conducted an availability analysis and methodology for setting race, gender-neutral, and specific goals for highway construction projects.

Statistical Consultant on a disparity study of DeKalb County, Georgia. Coordinated the team that developed and conducted the vendor survey, produced summary statistics, and developed a multivariate model for gauging the utilization of minority firms in the market area.

Statistical Consultant on a disparity study analyzing the utilization of minorities by the Washington Suburban Sanitary Commission, Washington, D.C. Oversaw the data management and analysis of vendor data in the market area.

Statistical Consultant facilitating the development of new methods of measuring marketplace disparities. Prepared computer simulations to examine the mathematical properties of current measures and tests.

Statistical Consultant on the Southwest Florida Water Management District disparity study. Coordinated team involved in producing measure creation, operationalization, and multivariate analysis.

Statistical Consultant on a disparity study of the City of Phoenix. Coordinated the team that conducted the vendor survey, produced descriptive statistics, and developed a multivariate model for gauging the utilization of minority firms in the market area.

Statistical Consultant for an analysis of the pay and classification system of Belle Glade, Florida. Worked with multivariate statistical techniques to predict applicable salary ranges and alternative methods of measurement.

Project Director on a comprehensive survey of the Career Service and SES/SMS positions for the State of Florida Department of Management Services. The salary survey was a high-profile study for the State of Florida, and was presented to the State of Florida Legislature and the Governor's Office for review.

CURRENT AND PAST PROFESSIONAL AFFILIATIONS

American Political Science Association
American Statistical Association
Project Management Institute

PRESENTATIONS

American Political Science Association
International Personnel Management Association
Florida State Personnel Association
Florida Public Personnel Association
National Association of State Personnel Executives
Florida Government Technology Conference
Florida Government Information Services Association
GA Board of Health Conference
National Association of Workforce Boards
Kansas Public Personnel Conference
Texas County Leadership Institute
Workforce Planning for the 21st Century

CHARLOTTE ROBINSON
Attorney at Law

EDUCATION

University of Denver, College of Law, J.D. 1982 (10th Circuit Editor of Law Review; Editor of Law Review; D.U. Moot Court Team)

University of Georgia, B.A. School of Journalism, 1976 (Public Relations, Political Science/Business)

PROFESSIONAL EXPERIENCE

For the past fourteen years, Charlotte Robinson has provided guidance to public Owners in all aspects of planning, development and implementation of transportation programs and projects.

Charlotte has practiced law in Colorado for more than 23 years, specializing in transportation and environmental law. She was the Chief Transportation Counsel for the Colorado Department of Transportation (CDOT) from 1992 through October 1996, and she has worked for CDOT since 1996 by contract. Prior to representing CDOT, she practiced environmental law for eight years, representing the State of Colorado and the Colorado Department of Public Health and Environment (Colorado Health Department).

DBE Programs: Ms. Robinson advised CDOT and the Transportation Commission on DBE issues from 1992 through October 1996. She was retained by CDOT to oversee the first Disparity Study conducted by CDOT, and subsequently defended CDOT and the State of Colorado in the first Adarand Constructors, Inc. v. Colorado case. Charlotte has prepared successful DBE provisions for many design-build projects, including the Transportation Expansion Project (T-REX), Colorado Springs Metropolitan Expansion Project (COSMIX), the New I-64 project and the Paseo Bridge projects in Missouri, and the Re-TRAC project in Reno, Nevada.

As part of the D. Wilson Consulting Group, Charlotte is providing the legal and policies, programs and procedures support for a disparity study for Alaska DOT.

Charlotte currently represents the Carolina Association of Minority Contractors (CAMC) in Raleigh, North Carolina, in lobbying with the state legislature and attempting to draft effective DBE program provisions. She also assisted the Executive Director of CDOT in developing an effective outreach effort with the African American community and contractors. She currently sits on the Emerging Small Business Advisory Board, the race-neutral program for CDOT. Charlotte was recently retained by CDOT to hear and decide appeals of CDOT's removal of DBE eligibility

Transportation Expansion Project (T-REX), Denver, CO: Charlotte represents the Regional Transportation District (RTD) and CDOT as legal counsel for the T-REX Multi-Modal Design-Build project. She is part of a four-member Project Direction Team providing leadership to a 90-person oversight team. As the attorney for the project, Ms. Robinson has played a key role in establishing and implementing all project management processes for the \$1.67 billion project. The project is currently 85 percent complete, on budget, and 22 months ahead of its original schedule.

Minnesota Department of Transportation Design-Build Program, Minneapolis, MN: Ms. Robinson provided legal services for the Minnesota Department of Transportation (Mn/DOT) to develop and implement a model design-build contract, design-build procurement, and owner oversight process. The

model design-build contract and procurement process is currently being used to deliver the \$140 million I-494 reconstruction project and the \$245 million TH212 Project. She was retained by MnDOT to assist in the oversight of the two projects.

Colorado Springs Metropolitan Expansion Project (COSMIX), Colorado Springs, CO: Charlotte is the legal counsel for Colorado Department of Transportation (CDOT) on a \$150 million design-build highway improvement project. She advised CDOT in defining and implementing the strategic process for successful innovative contracting and project delivery. She assisted CDOT in the process of establishing project goals, performing a project risk analysis, developing the design-build selection criteria and contract documents, and successfully selecting the design-build contractor. She has been retained as legal counsel for CDOT throughout project completion, and assists the EEO Representative in DBE and contract compliance issues.

Charlotte was involved in a wide variety of transportation issues while representing CDOT. She advised CDOT in the areas of policy and transportation planning during the development of the planning process required by ISTEA. She advised the Transportation Commission in the areas of public-private initiatives, the planning process, public meetings and difficult public hearings, railroad abandonment matters, environmental matters, governmental issues, staff construction matters and legislative issues. She participated in the original task force to interpret the Tabor Amendment for Attorney General Gale A. Norton. She represented CDOT regularly in negotiations with the Colorado Health Department for Colorado air quality conformity language. Ms. Robinson has also worked on various controversial NEPA environmental projects, including the E-470 environmental assessment and the Environmental Impact Statement for State Highway 82. She is currently advising the CDOT consultant team on the adequacy of the controversial EIS for the Northwest Corridor.

Charlotte negotiated complex contracts on behalf of CDOT and the Transportation Commission. She also represented CDOT in contract claim issues and litigation. She reviewed and approved all changes in standard specifications and special provisions.

Over the past nine years, Charlotte has actively participated in drafting, negotiating and revising federal and state legislation and regulations in many areas, including transportation and environmental law. She has led public meetings for CDOT, the State and the Colorado Department of Health in extremely controversial issues involving environmental, transportation and civil rights issues.

Prior to representing the Colorado Health Department, Charlotte successfully served as lead counsel for the State in *Colorado v. Idarado Mining Co., et al.*, the first Superfund remedy case to go to trial in the United States.

PUBLICATIONS

Design-Build Contracts for Colorado Highway Construction: New Contractual Issues, Parts 1 and 2, The Colorado Lawyer, February and March 2000

Note, *Water for Oil Shale: Framework for the Legal Issues*, 58 Den.L.J. 703 (1981)

Co-authored: *The Effect of Water on the Development of Oil Shale*, 58 Den.L.J. 751 (1981)

Co-authored: Chapter on Water Law, Natural Resources Law, Cases and Materials, West Publishing Co., 1985

Co-authored: *Pronouncements of the U.S. Supreme Court Relating to the Criminal Law Field* (published in several legal publications (1981).

CONFERENCES AND PRESENTATIONS

Ms Robinson has spoken at numerous American Association of State Highway and Transportation Officers (AASHTO) Civil Rights Conferences and Design-Build Institute of America (DBIA) Conferences on DBE issues, DBE cases, EEO issues, DBE issues with design build projects and lessons learned and suggestions for improvements.

Tameka A. Richardson
Research/Quality Control Manager
D. Wilson Consulting Group, LLC

EDUCATION

B.S., Accounting, University of Phoenix

A.A., Accounting, Tallahassee Community College

RANGE OF EXPERIENCE

Ms. Richardson has over 12 years of disparity study experience. She has participated in over 20 disparity studies by conducting data assessments, development of data collection plans, conducting quality control of data collection staff. Ms Richardson also collects, evaluates, and prepares research and/or other complex statistical data for a specific unit of the organization. Prepares statistical reports and participates in the analysis and interpretation of data as appropriate. Develops, maintains, and ensures quality control of databases as well assist in development and implementation of measurement systems.

PROFESSIONAL HISTORY

D. Wilson Consulting Group, LLC, Research/Quality Control Manager, 2006–Current

MGT of America, Inc., Analyst, 2006; Senior Data Assistant, 2001–2006; Data Assistant III, 1998–2001; Data Entry Control Clerk, 1994–1998

Florida Department of Labor & Employment Security, Senior Control Clerk, 1990–1992

City of Tallahassee, Accounts Payable Clerk, 1989–1990

PROFESSIONAL EXPERIENCE

D. Wilson Consulting Group, LLC

Provide professional data research and management services to public and private organizations in the areas of transportation, policy research and development, management reviews, organizational development and minority and women business studies.

MGT of America, Inc.

Availability Studies

Data Assistant on the South Florida Water Management District's minority business availability and utilization study.

Data Assistant of a capacity analysis for the West Virginia Department of Transportation. Responsible for assisting analyst and project manager with data research, collection and entry.

Data Assistant of an availability study for the Dallas/Fort Worth International Airport Board to review of construction and professional services contracts issued by the client between 1994 and 1999 to facilitate the client's submission of its DBE plan to the Federal Aviation Administration.

Analyst of a project to assist The City of New York in an availability and disparity analysis of data presented by a competing firm. The purpose of the study was to provide the client with a methodology that more closely reflected the business population.

Data Assistant of a program assessment and data analyses of the implementation of Orange County M/WBE Ordinances 94-02, 98-25, and 02-01. Fiscal years 2000 through 2004 were included in the analyses, and MGT analyzed M/WBE and non-M/WBE activities in the business categories of construction, professional services, and goods/commodities and services.

Disparity Studies

Data Assistant on a project to conduct a disparity study for the Commonwealth of Virginia to determine if and to what extent a disparity existed between the utilization and availability of minority- and woman-owned business enterprises (M/WBEs) as contractors on Commonwealth contracts and subcontracts.

Data collection Team Member of a project for Miami-Dade County, Florida, to conduct a six-month pre-disparity study.

Data Assistant of a study for the City of Charlotte, Mecklenburg County, and Charlotte-Mecklenburg Schools to examine whether there was significant evidence of past or present discrimination against racial and ethnic minorities or women by/or within the Charlotte marketplace for contracting.

Data collection Team Member of a disparity study update for the Port Authority of New York and New Jersey. The multifaceted study involved preparing a report that included a review of current case law and procurement policies and procedures.

Data Assistant of a study to review the Kansas Department of Transportation Disadvantaged Business Enterprise (DBE) goal pursuant to 49 CFR, Section 26.45. This study included a review of current case law, utilization, availability, and capacity analyses. The study provided recommendations for the DBE goal-setting methodology.

Data collection Team Member and Analyst of a study to conduct an assessment of the Disadvantaged Business Enterprise and Minority Business Enterprise programs for the Jacksonville Transportation Authority to create an operational plan to reengineer the programs. Assessed JTA's goals and achievement of those goals, process improvement, strategic planning, and an update of policies and procedures to comply with the latest federal regulations.

Data collection Team Member on a study to examine whether there was significant evidence of past or present discrimination against racial and ethnic minorities or women by or within the Newark marketplace in contracting for the Newark, New Jersey, Public School District.

Data Assistant of the MGT study to advise the North Texas Toll-way Authority on establishing its Disadvantaged Business Enterprise participation goal and program policies.

Data collection Team Member of a project to perform an update of the 1995 and 1996 disparity studies for the multi-jurisdictional governments of Dougherty County, and City of Albany, Water, Gas, and Light Commission.

Data Entry Clerk of an analysis for the North Carolina Department of Administration of the procurement activity for the years succeeding the period covered in our previous disparity study.

Data collection Team Member on a study to conduct market area, availability, and utilization analyses for the State of Nebraska, Department of Roads.

Data collection Team Member on a disparity study for the City of Baltimore, Maryland to analyze the market area, utilization, availability and disparity of the City's contract awards to M/WBEs and non-M/WBEs.

Data Assistant of a Disparity Study for the Washington Suburban Sanitary Commission (Maryland). In addition to conducting the disparity study, the project team for this study helped the client modify its procurement procedures and implementation strategies.

Data Assistant for the Miami-Dade Community College disparity study. Managed all daily activities that included data collection and analyses, surveys, interviews, public hearings, and focus groups.

Data collection Team Member for the State of Colorado and Colorado Department of Transportation disparity study.

Data Entry Clerk on a disparity study for the City of Little Rock, Arkansas. The study included six jurisdictions: the City of Little Rock; the Little Rock Visitors and Convention Bureau; the Little Rock Wastewater Utility; the Little Rock Water Works; and, the Central Arkansas Library System.

Data Assistant for the Dougherty County multi-jurisdictional disparity study that included: Dougherty County, the City of Albany, Dougherty County School Board, and the Water, Gas, and Light Commission.

Data Assistant for the State of South Carolina Department of Transportation's study of M/WBE participation in construction contracts.

Data Assistant for the State of Florida disparity study that analyzed the utilization and availability procurement data for 38 state agencies and the university system.

Data collection Team Member for the Broward Inter-Local Committee disparity study in Florida. Analyzed the utilization of minority and women-owned business in the procurement practices of four governmental agencies.

Data Entry Clerk for the Palm Beach County School District disparity study. Coordinated two public hearings.

Data Assistant of a project that conducted the quantitative analysis to determine if the City of Atlanta, Georgia, was a passive participant in a private sector scheme of discrimination.

Data collection Team Member of a project that conducted an analysis of business underutilization causation for the City of Columbia, South Carolina. This project encompassed a complete and standard disparity analysis to examine whether there was significant evidence of past or present discrimination in public and private sector contracting against racial and ethnic minorities or women in the city's local market.

Data Assistant of a disparity study contracted with The City of Hampton, Virginia, contracted to examine the City's utilization of firms on City procurements and compare the percentage of distributions to the

availability of firms, by business owner classifications, to perform work. The study also included anecdotal data gathering to identify business owner perceptions and opinions as well as regression analysis to identify causal factors for any identified unfair business practices.

Data collection Team Member on a study for Nassau County, New York, to determine if and to what extent a disparity existed between the utilization of minority- and woman-owned business enterprises (M/WBEs) as contractors on county contracts and subcontracts compared with the availability of such firms to perform such work.

Analyst of a disparity study contracted with Charleston County, South Carolina, to conduct an economic and statistical analysis to determine whether there was disparity in the utilization of M/WBE contractors and vendors.

Second-Generation Disparity Studies

Ms. Richardson served in the following capacities on these second-generation studies conducted subsequent to the *Croson* decision. These studies were subject to stricter evidentiary requirements than that required for first-generation studies.

Data Entry Clerk Team Member of the St. Louis Area Consortium study designed to determine whether or not evidence existed to continue remedial assistance in the contracting and purchasing processes to minority- and woman-owned business enterprises.

Data collection Team Member of the Broward County Government, Florida study that analyzed the utilization and availability of M/WBEs and non-M/WBEs as well as Small, disadvantaged business enterprise (SDBE) utilization and availability.

Data Assistant for the study conducted for the City of Tallahassee to determine if there was disparity in the levels of contract awards to M/WBEs and if there was a compelling interest in the continuance of the City's remedial procurement program.

Data Assistant of the second-generation disparity study for the State of Maryland Department of Transportation. The comprehensive study included all state agencies, the State University System, and all Community Colleges.

Data collection Team Member for the City of Phoenix study that included the review of over 5,000 construction contracts, 75,000 general service contracts and 478,000 purchase orders.

Data Assistant for the Florida Department of Transportation's Disadvantaged Business Program study.

Data Assistant of a disparity study update for the North Carolina Department of Transportation.

Data Assistant of a minority-owned/woman-owned/small business enterprise program study update conducted for the City of Phoenix, Arizona. This study consisted of fact finding to determine whether the M/WBE program had eliminated active discrimination; determine the effects of past discrimination in City contracting, and to what extent; and evaluate various options for future program development if discrimination existed.

Data Management Services

Data Assistant of a project that conducted a utilization analysis for the City of Fort Worth, Texas.

Data Assistant of a project with the West Virginia Department of Public Transit to assist in conducting a data assessment and developing FY 2003 Disadvantaged Business Enterprise goals.

Data Assistant of a project to perform data management of construction and consulting contracts let over a two-year period by the West Virginia Department of Transportation.

Data Assistant of a project to assist the State of Massachusetts with an assessment of women in the construction industry as well as recommendations on how the state should implement its associated programs.

State and Local Government

Data collection Team Member of a management review and evaluation of the procurement practices, policies, and procedures currently followed by the DeKalb County, Georgia, Government.

Data Assistant of a project assisting Purdue University in meeting the data requirements of HB 1436, which required information on the utilization of special business enterprises from January 1, 1999, to December 31, 2003; and in formatting these same data for use in a planned statewide disparity study.

Analyst on a project to assist in the development of the Florida Department of Health public information campaign for Avian/Pandemic Flu. Research explored how Floridians might plan for a pandemic flu outbreak, including testing receptiveness to messages and strategies identified by the Florida Department of Health.

Analyst on a project for Workforce Central Florida to conduct best practices research related to out of school youth ages 19 to 21, which involved a review of national and state projects in order to identify program models and best practices for possible replication in the five-county area served by Workforce Central Florida.

Analyst on a project to conduct best practices research and benchmarking for TIP Strategies, which involved benchmarking best practices related to improving education, workforce training, and university/business/research collaboration for the Central Florida area.

Fields & Brown, LLC

FIRM HISTORY

Fields and Brown, LLC engages in the general practice of law with an emphasis in the areas of labor and employment law, workers' compensation defense and insurance defense, and commercial litigation and transactions. It is the largest minority-owned law firm in the Kansas City area. Fields & Brown has attained a Legal Ability and General Recommendation Rating of "AV" in the Martindale-Hubbell Law Directory. The firm is listed in The Bond Buyer's Municipal Marketplace ("Red Book"), and attorneys in the firm are members of the National Association of Bond Lawyers.

Fields & Brown was established in 1987. It succeeded the firm of Colbert & Fields, established in 1980. Fields & Brown is dedicated to providing effective and aggressive representation of its clients. The firm's attorneys have extensive experience prosecuting civil litigation in both federal and state courts. The courts in which the firm's attorneys regularly practice include Missouri state courts in Cass, Clay, Jackson, Lafayette, Platte and Ray counties, Kansas state courts in Johnson, Leavenworth, and Wyandotte counties, and federal courts in the Western District of Missouri and the District of Kansas.

The firm represents such Fortune 500 companies as Bank of America, General Motors Corporation, The Coca-Cola Company, Starbucks Corporation, Wal-Mart Corporation and The St. Paul Travelers Companies, Inc. Fields & Brown also represents a variety of governmental agencies, including the state of Missouri, the city of Kansas City, the Kansas City Missouri School District and the Kansas City Area Transportation Authority. At the federal level, Fields & Brown has provided significant legal services to the Federal Deposit Insurance Corporation in real estate litigation and transactions.

The attorneys of the firm are supported by a staff of experienced and well-supervised law clerks, paralegals and clerical personnel supplied with the most advanced computerized research and database systems. The firm's offices are conveniently located in the central business and financial district in downtown Kansas City, Missouri.

PROFESSIONAL EXPERIENCE

Affirmative Action

Fields & Brown has extensive experience in handling affirmative action issues for public/governmental agencies. Fields & Brown's experience includes conducting disparity studies. These studies include both multi-jurisdictional and single agency studies as well as original and second generation studies. Fields & Brown is well versed in the law related to the development of affirmative action programs. The firm maintains a database of case law from the United States Supreme Court and Federal Circuit Courts throughout the United States to remain abreast on trends in the law as they relate to affirmative action programs. Fields & Brown reviews new court decisions on the constitutionality of affirmative action programs on a regular basis.

Fields & Brown began working in the area of affirmative action in the early 1990s, shortly after the United States Supreme Court decision in *City of Richmond v. J.A. Croson Company*, 488 U.S. 469 (1989). Fields & Brown began this practice area by assisting MGT of America in conducting the disparity study for the Kansas City Area Consortium. The consortium included the City of Kansas City, the Kansas City Area Transportation Authority and the Kansas City Missouri School District. Specifically Fields & Brown

conducted the legal analysis and anecdotal analysis for the Kansas City study. Since the Kansas City Consortium Disparity Study, Fields & Brown developed the Minority/Women Business Enterprise (M/WBE) contracting policy and operating procedure manual for the Kansas City Missouri School District and the DBE contracting policy for the Kansas City Area Transportation Authority. The firm still advises both agencies on affirmative action contracting issues. Furthermore, Fields & Brown advises the City of Kansas City on affirmative action issues through Taylor Fields' participation as a member of the Kansas City Fairness Board, which serves as a liaison between the majority and minority business communities of Kansas City.

Fields & Brown also participated in conducting the second generation disparity study for the City of Phoenix. Specifically, Fields & Brown was responsible for the legal analysis, policy and procedure analysis and anecdotal analysis for the City of Phoenix disparity study. Fields & Brown participated in the Sacramento California Consortium Disparity Study by preparing the legal analysis. Fields & Brown participated in the Second Generation St. Louis Consortium Disparity Study. Specifically, Fields & Brown conducted the policy and procedure analysis and anecdotal analysis for the St. Louis Study. Fields & Brown also participated in the Fulton DeKalb Hospital Authority Disparity Study. Most recently, Fields & Brown participated in the update to the second generation disparity study for the City of Phoenix. Fields & Brown as again responsible for the legal analysis, policy and procedure analysis and anecdotal analysis.

In addition to participating in disparity studies, Fields & Brown is currently engaged in extensive negotiations on behalf of the Jackson County Sports Complex Authority, Jackson County (including parts of Kansas City), Missouri (the "Authority") concerning major renovations at the Harry S. Truman Sports Complex, home of the Kansas City Chiefs' Arrowhead Stadium and the Kansas City Royals' Kauffman Stadium. Acting on behalf of the Authority, Fields & Brown acted as a liaison among the Authority, the Chiefs, the Royals, and a coalition of recognized minority organizations in negotiating a Fair Share Agreement to ensure equitable retention of DBEs and hiring of minorities and women.

Fields & Brown also serves as counsel to the Kansas City Port Authority where a portion of that engagement includes development of M/WBE contracting requirements for Port Authority projects. Taylor Fields authored an article titled Disparities in Local Government Contracts that was recently published in the Urban League's *The State of Black Kansas City 2002*.

Labor and Employment Law

Taylor Fields has negotiated labor agreements on behalf of the City of Kansas City, Missouri with Local 42 of the Firefighters Union and Local 500 of the American Federation of Municipal and County Employees. Mr. Fields also served as the direct negotiator on behalf of the Kansas City Missouri School District ("KCMSD") for six years. During this period he negotiated annual agreements with Local 691 of the Kansas City Federation of Teachers and Cafeteria Employees, Local 12 of the Operations, Maintenance, and School Related Personnel of the KCMSD, and the Kansas City Association of Educational Office Personnel. This work involved labor agreements covering over 5,000 employees. Mr. Bowers offered considerable assistance in these negotiations. Mr. Fields and Mr. Bowers represented the KCMSD in numerous labor arbitrations and handled countless grievance proceedings before the Board of Education. In many instances labor contract negotiations were resolved before a federal mediator. Additionally, Fields & Brown has represented the KCMSD in unit certification hearings before the State Board of Mediators.

The lawyers of Fields & Brown have extensive experience in employer counseling, investigations, document preparation, and in all types of employment litigation matters. Members of the firm are experienced in the defense of claims arising under the Family and Medical Leave Act, Americans with Disabilities Act, Title VI, Title VII (including race, sexual harassment, and age issues), Title IX and the Individuals with Disabilities Education Act. In addition, the firm provides general advice to its clients on

employment issues such as discipline, discharge, and harassment. The firm also reviews and prepares employment policies and employee handbooks.

The firm has long and significant experience in these employment matters. In 1976, Taylor Fields began representing a major automotive manufacturer in the defense of race, sex and national origin claims arising in the Western District of Missouri. In 1980, Mr. Fields expanded his employment defense practice and began representing a national motor carrier in the defense of race, sex, age and national origin claims. Additionally, Mr. Fields handled numerous administrative hearings before the Equal Employment Opportunity Commission and before state employment agencies and human rights agencies in New Jersey, Missouri, Kansas, Nebraska, Iowa and Utah.

Taylor Fields and the other members of the firm have continued to practice in the area of labor and employment law. For the past 25 years, Fields & Brown has served as the Kansas City Area Transportation Authority's (KCATA) counsel in employment matters. The scope of the engagement requires Fields & Brown to handle an average of fifteen to twenty employment claims per year, including defending the KCATA before administrative agencies as well as in federal and state courts. This engagement has provided Fields & Brown with extensive experience in defending its clients against claims involving allegations of race, sex, age and disability discrimination. The firm has also applied this experience in defending other major corporate clients against such suits. Additionally, Fields & Brown currently serves as counsel to the Kansas City Missouri School District in the defense of employment claims.

Insurance Defense and Workers Compensation Defense

Attorneys at Fields & Brown have significant experience and skill at defending personal injury, property casualty, products liability and workers' compensation claims. The firm currently works on a significant number of personal injury insurance defense claims. The firm also handles a significant number of workers' compensation claims managed through various claims agencies and insurers such as Sedgwick CMS, GAB Robbins North America and St. Paul Travelers. Over the past fourteen years, the shareholders and associates have resolved numerous workers' compensation claims to the satisfaction of their clients.

Taylor Fields began the defense of personal injury claims in 1985 on behalf of the Kansas City Area Transportation Authority. During this engagement, Mr. Fields tried a number of cases to verdict and resolved many claims by settlement or dismissal after discovery. In many instances, the motor vehicle accidents involved multiple vehicles with significant injuries. Taylor Fields' work with insurers has primarily been in personal injury defense.

Charles R. Brown began defending workers' compensation matters in 1990 by representing various insured of Aetna Casualty & Surety Company. Fields & Brown worked closely with several adjusters and at any given time would have in excess of forty open workers' compensation files. Fields & Brown continued to represent Aetna until its merger with Travelers Insurance Company (now St. Paul Travelers). Fields & Brown was then hired by St. Paul Travelers to handle workers' compensation claims.

Currently, Fields & Brown represents the Kansas City Area Transportation Authority ("KCATA") on workers' compensation matters. This relationship, which began approximately nine years ago, is managed by Mr. Brown. The KCATA has presented Fields & Brown with a large volume of files throughout this engagement. Given the nature of the transportation industry, claims vary from muscle strains to surgical intervention. Additionally, numerous matters have involved allegations of permanent total disability. Fields & Brown currently serves as counsel to General Motors Corporation and Wal-Mart Corporation in the defense of workers' compensation claims. Fields & Brown aggressively handles these workers' compensation files by thoroughly investigating the claims and conducting discovery to prepare the matters for either settlement or trial.

Additionally, the firm is currently defending workers' compensation claims for insurance carriers and self-insured employers. The members and associates have resolved numerous personal injury and workers' compensation claims on behalf of major insurance carriers and business clients.

Commercial Litigation

Fields & Brown provides litigation and general legal services for public and private businesses engaged in the manufacturing, retailing, distribution and service industries, as well as for non-profit and governmental entities. The firm brings a common-sense, business-oriented approach to both the client's day-to-day legal issues and any extraordinary occurrences. Fields & Brown's attorneys work in partnership with clients to achieve client objectives. Through creative problem-solving and effective advocacy, the firm helps clients avoid unnecessary legal controversy and expense.

The firm has extensive experience with complex litigation. Currently, Fields & Brown represents The Coca-Cola Company in the defense of a multi-jurisdictional class action involving millions of dollars in claims.

Fields & Brown also represents secured and unsecured creditors in Chapter 7, 11, and 13 business bankruptcy proceedings. This work includes representing the city of Kansas City in connection with a major Chapter 11 proceeding involving a national air carrier. The firm also represents major financial institutions in a significant volume of routine bankruptcy motions, such as motions to modify or to lift the automatic stay. The firm's attorneys are experienced in these matters and are able to move promptly to protect the creditor's rights and interests in the collateral.

In the area of real estate law, Fields & Brown currently has been retained as special counsel to the city of Kansas City, Missouri. In that capacity, it serves as special disclosure counsel to the City in connection with the issuance of \$300 million in bonds to finance the development of a downtown sports arena. The firm's further responsibilities include negotiating major development and construction agreements in connection with a \$1 billion downtown redevelopment project and representing the City in multiple major condemnation proceedings.

School law has also been a specialty of the firm. For many years, Fields & Brown provided legal service to the Kansas City Missouri School District ("KCMSD"). Its experience ranged from employment matters and litigation involving students to the drafting of policy documents and handling major desegregation litigation.

LAW FIRM MEMBERS

TAYLOR FIELDS, SHAREHOLDER

EDUCATION

University of Missouri-Kansas City School of Law, J.D. (1971);
University of Missouri-Kansas City, Graduate Study, Urban Law;
University of Missouri-Columbia, Chemical Engineering, B.S. (1967).

ADMITTED TO PRACTICE

Missouri, Michigan, United States District Court, Western District of Missouri and Eastern District of Michigan, Sixth, Eighth and Tenth Circuit Courts of Appeals.

AREAS OF EXPERTISE

Commercial litigation, employment law, affirmative action issues and workers' compensation.

Charles R. Brown, Shareholder

EDUCATION

University of Iowa College of Law, J.D. (1976);
Graceland College, Business Administration and Economics, B.A. (1973).

ADMITTED TO PRACTICE

Missouri United States District Court, Western District of Missouri and Eighth Circuit Court of Appeals.

AREAS OF EXPERTISE

Insurance defense, commercial litigation, workers' compensation defense, employment law.

J. David Bowers, Shareholder

EDUCATION

Washington University School of Law, J.D. (1983);
Southwest Missouri State University, Economics and Political Science, B.A. (1980).

ADMITTED TO PRACTICE

Missouri United States District Court, Western District of Missouri and District of Kansas, Eleventh Circuit Court of Appeals and Eighth Circuit Court of Appeals.

AREAS OF EXPERTISE

products liability, insurance defense, workers' compensation, commercial litigation, and employment law.

Carla M. Fields, Shareholder

EDUCATION

Thurgood Marshall School of Law, J.D. (1995);
Boston College, Marketing and Communications, B.S. (1992).

ADMITTED TO PRACTICE

Missouri, United States District Court, Western District of Missouri; Kansas, United States District Court, District of Kansas; Eighth and Tenth Circuit Courts of Appeals.

AREAS OF EXPERTISE

Workers' compensation, insurance defense and affirmative action issues.

Keith S. Rhodes, Associate

EDUCATION

University of North Dakota, J.D. (1980);
University of Nebraska-Lincoln, Ph.D. (1994);
University of Missouri at Kansas City, M.A. (1991);
University of North Dakota, B.A. (1977).

ADMITTED TO PRACTICE

Kansas, Missouri, and Maryland (inactive); United States District Court for the District of Kansas.

AREAS OF EXPERTISE

Commercial litigation, municipal finance, bankruptcy, workers' compensation and personal injury

Sharon L. Stewart, Associate

EDUCATION

University of Missouri, Kansas City, J.D. (2005);
Missouri State University, Springfield, B.S. Accounting (1995);

ADMITTED TO PRACTICE

Missouri

AREAS OF EXPERTISE

Workers' compensation, personal injury and affirmative action issues.

Willis L. Toney, Of Counsel

EDUCATION

University of Missouri-Columbia School of Law, J.D. (1981);
University of Missouri-Columbia, Business, B.A. (1978);
Political Science, B.S. (1978).

ADMITTED TO PRACTICE

Missouri, United States District Court, Western District of Missouri; Eighth and Tenth Circuit Courts of Appeals.

AREAS OF EXPERTISE:

Criminal defense, insurance defense, employment law.

Robert D. Hopkins. Of Counsel

EDUCATION

University of Missouri-Kansas City School of Law, J.D. (1996);
University of Missouri-Kansas City, Accounting, B.S. (1993).

ADMITTED TO PRACTICE

Missouri and Wisconsin
United States District Court, Western District of Missouri

AREAS OF EXPERTISE

Insurance, estates and trust

PROFESSIONAL AFFILIATIONS

American Bar Association
National Bar Association
Missouri Bar Association
Kansas Bar Association
Texas Bar Association
Kansas City Metropolitan Bar Association
Jackson County Bar Association
Wyandotte County Bar Association
Johnson County Bar Association.

4.1.3. Method of Providing Services

The approach to conducting a disparity study is very similar among the few firms in the industry. What sets Wilson Consulting Group apart from the others is our thoroughness, rigor and attention to detail. According to the Request for Proposals, the following are our understanding of the Work to be performed pursuant to the RFP:

Work Plan

Exhibit 1 below describes, in detail the Work Plan/IPP that Wilson Consulting Group proposes to use to successfully complete this project and accomplish the objectives of the State of Montana.

Exhibit 2 below shows a draft schedule for the Disparity/Availability Study:

Exhibit 1

Task	Task #	Activity
1.0 – Conduct Legal Analysis	1.1	Identify and obtain copies of relevant court cases.
	1.2	Conduct a detailed review and analysis of each set of opinions.
	1.3	Prepare a detailed list of the requirements of availability and disparity studies based upon opinions relevant to owner determinations of: <ul style="list-style-type: none"> • Race- and gender-neutral programs • Race- and gender-preference programs • Definition of business categories for disparity analysis • Definition of appropriate race and gender categories for disparity analyses • Definition and measurements of utilization • Definition and measurement of availability in the appropriate geographical study areas • Measurement of disparity due to discrimination • Methods for determining significant levels of disparity • Status of legal use of multivariate/regression, probability, and other statistical analyses • Measurement and relevance of disparity in the relevant private markets • Requirements related to documentation of anecdotal evidence; and • Requirements related to documentation of barriers in obtaining bonding and financing, disparities in business formation and earnings encountered by DBE firms • Any other related requirements or types of evidence approved by relevant cases
	1.4	Prepare a legal report that analyzes and summarizes the legal opinions relating to approved methods required by relevant cases for availability and disparity studies.
2.0 – Review Policies, Procedures and Programs	2.1	Review and analyze statutes, regulations, resolutions, ordinances, policies and procedures, and existing programs, applicable during the relevant study time period.
	2.2	Review contracting and purchasing manuals currently in use and history of development.
	2.3	Identify and interview key personnel regarding the history and development of the policies currently in use, implementation of the policies and impacts of the implementation of the policies, including the race/gender neutral and preference programs.
	2.4	Identify and interview DBE firms and non-minority firms regarding policies, barriers and implementation and impact of the policies, including the race/gender neutral and preference programs.
	2.5	Provide the results to the client for review and feedback regarding existing programs.
	2.6	Prepare a report that summarizes the impacts of existing policies and contracting programs.
3.0 – Conduct Data Collection	3.1	Conduct a data assessment to determine the condition of contract and purchasing data and develop data collection methodology.
	3.2	Develop, review and receive approval for data collection methodology from Project Officer.
	3.3	Work with appropriate personnel to transfer electronic data and hard copy files for data extraction.
	3.4	Collect data from outside sources, such as certification lists, minority and majority professional organizations, <i>Dun and Bradstreet</i> , <i>Construction Market Data</i> , and <i>F.W. Dodge, Inc.</i>
	3.5	Finalize Programming Wilson Consulting database to record and analyze the utilization data.
	3.6	Obtain 100 percent of subcontractor data, where appropriate. If data is in hard copy, scan the contracts and subcontracts to enter in database.
	3.7	“Clean” data for consistency: removing duplicates; formatting; multiple office locations, etc. Remove unnecessary data to include employees, other government agencies, nonprofit organizations, and other fields as appropriate.
	3.8	Conduct random sample survey to compare the collected vendor data to other secondary data sources.

Disparity/Availability Study Proposal

Task	Task #	Activity
4.0 – Conduct Market Area Analysis	4.1	From the statistics gathered from vendor data, determine the location of successful vendors. Determine the geographic area from which prime contractors or vendors are hired for each type of contracting.
	4.2	A market area analysis will be prepared for each major business category.
	4.3	Review the draft market area analyses with Project Manager.
	4.4	Prepare report on the recommended market areas.
5.0 – Calculate Private Sector Availability	5.1	Determine the relevant private sector market area taking into account total market activity, geography, and operational capability indicators.
	5.2	Collect the relevant public data from resources such as the National Survey of Small Business Finances (NSSBF), US Small Business Administration (SBA), Current Population Survey (CPS), Economic Census, and Five Percent Public Use Microdata Samples (PUMS).
	5.3	Determine the relevant firm type and characteristics to be included in the private sector availability analysis.
	5.4	Collect required data on private organizations providing the relevant services in the defined market area. Data should be collected on: <ul style="list-style-type: none"> • First and last name • Company name • Physical and mailing addresses • Phone number • Fax number • Email address • NAICS • DBE status If available, collect data on number of employees, year founded, annual revenues, and geographic areas of operation.
	5.5	Select survey targets for assessing the private market for availability predictors.
	5.6	Refine the survey instrument to ensure that it captures the requested as well as needed data regarding the private sector.
	5.7	Issue and collect the survey from relevant private firms.
	5.8	Analyze the survey data to determine barriers of entry, operating conditions, and other marketplace characteristics.
	5.9	Model the private sector availability based on ready, willing, and able. Utilize original data (survey), secondary data (federal, state, and commercial data), and other resources.
	5.10	Use econometric modeling to estimate the size of the firm population based on the private sector data by category.
	5.11	Ensure that secondary measures are utilized that validate the calculations.
	5.12	Determine private sector availability by region (geographic area), NAICS code, business concentration, preference status (race and gender), and component scores on the availability measures.
	5.13	Validate the calculated selections based on vendor data to ensure that the similar firms are determined to be available for each stratum.
	5.14	Create the private sector availability database for disparity analysis.
6.0 – Conduct Availability Analysis	6.1	Verify the validity of the client databases containing vendor, bidder, and subcontractor data collected in previous tasks.
	6.2	Determine other organizations and jurisdictions that should be approached for vendor, bidder, and subcontractor data.
	6.3	Collect electronic listings from other public jurisdictions and organizations. This should include other public organizations, associations, or groups.

Task	Task #	Activity
	6.4	<p>Create a database that contains the relevant vendor, bidder, and subcontractor data for the state and other organizations. Data should be organized on:</p> <ul style="list-style-type: none"> • First and last name • Company name • Physical and mailing addresses • Phone number • Fax number • Email address • SIC • NAICS • DBE status <p>If available, collect data on preference status, number of employees, year founded, annual revenues, and geographic areas of operation.</p>
	6.5	Create a list of organizations with missing data and what the missing elements are.
	6.6	Contact by phone the organizations with missing data and collect as much as possible for entry into the vendor, bidder, and subcontractor database.
	6.7	Update the database with the collected information where appropriate.
	6.8	Compare the overlap of the public and private databases. Eliminate any redundant entries to ensure that the database is comprehensive and accurate.
	6.9	Verify the bidder and subcontractor data with the same standards for availability with the private sector firms.
	6.10	Create a master database for availability analysis that indicates the source of the entry, but includes all entries.
	6.11	Determine availability based on public vs. private market participants, combined public and private, geographic location, size categories, preference status (race and gender), and other demarcations.
	6.12	Create the availability contact database.
	6.13	Prepare the chapter summarizing the availability analysis.
7.0 – Conduct Regression Analysis	7.1	Review data collected from the vendor survey and ensure that the data presents a sufficient and defensible sample for analysis. A comparison to the public and private availability data should be conducted.
	7.2	Conduct descriptive analysis to determine the robustness of the data.
	7.3	Select the econometric models necessary for determining the causal factors related to firm utilization.
	7.4	Verify the analysis assumptions to ensure the identified relationships are correct.
	7.5	Conduct additional analysis as needed to determine other mitigating factors impacting the results.
	7.6	Summarize the findings and link possible predictors to programs, initiatives, and other environmental factors related to the results.
	7.7	Identify potential recommendations that would result in increasing available firms, utilization, and reaching the organization's goals.
8.0 – Conduct Utilization Analysis	8.1	Review utilization (vendor) database for completion and appropriateness of elements. Ensure that all of the necessary elements are present in the database.
	8.2	Create initial utilization summaries by project type, location, size, and other major characteristics to provide the project manager.
	8.3	Gain approval from the project manager on the output of the utilization database.
	8.4	Conduct basic descriptive analysis on the utilization database.
	8.5	Based on contract size, relevant market area, time period, and preference status, estimate utilization for prime and subcontractors.
	8.6	Examine utilization within the context of programs and incentives in place during the time period analyzed.
	8.7	Provide the results to the client for review and feedback.

Disparity/Availability Study Proposal

Task	Task #	Activity
9.0 – Conduct Disparity Analysis	9.1	Develop a draft set of disparity analyses (in the form of report layouts) and statistical analyses (in tabular form) to be conducted.
	9.2	Review draft report layouts and tables with the Project Officer and make appropriate revisions.
	9.3	Utilizing the availability data and the utilization data, calculate disparity indices for the categories shown above.
	9.4	Subject disparity analyses to statistical tests to determine statistical significance.
	9.5	Conduct comparative analysis of disparity when a race preference program was used and when only race neutral program was used.
	9.6	Review the disparity calculations, statistical tests results with the Project Officer and make appropriate revisions.
10.0 –Personal Interviews, Focus Groups and Public Hearings	10.1	D. Wilson Consulting Group will schedule and conduct not less than 40 personal interviews; 8 with DBE firms and 8 with non-DBE firms in each region. The purpose of the interviews is to gather anecdotal data concerning barriers to contracting for performance of work in the State of Montana. D. Wilson Consulting Group will utilize the DBE interview instrument developed in Task 5 to collect data during the interview. D. Wilson Consulting Group will obtain signed affidavits from all interviewees attesting to the accuracy of the information provided during the interviews.
	10.2	D. Wilson Consulting Group will conduct 5 focus groups, 1 in each Region. Each focus group will include will include prime contractors only. The purpose of the focus group is to gather anecdotal information on DBE utilization from their perspective. D. Wilson Consulting Group shall distribute the Prime Contractor interview instrument developed in Task 5 to focus group attendees and shall collect completed instruments at the end of each focus group.
	10.3	D. Wilson Consulting Group will conduct 5 public hearings, 1 Public Hearing in each Region. D. Wilson Consulting Group will provide a hearing officer and panel to gather anecdotal evidence concerning contracting experiences with the State of Montana including disparate treatment, contracting barriers and suggestions for improvement.
11.0 – Recommend Narrowly Tailored Remedies for the DBE Policy and Programs	11.1	Based on the results of the availability, regression, and utilization analyses, and the review of programs, identify problem areas, if any.
	11.2	Identify what problem areas, if any, can be corrected with race- and gender-neutral remedies.
	11.3	Identify what problem areas, if any, cannot be corrected by race- and gender-neutral remedies.
	11.4	Identify narrowly tailored remedies for each problem area (or group of areas) consistent with the legal parameters.
	11.5	Prepare alternative recommendations and solutions if necessary to modify existing race- and gender-neutral programs and policies and existing race- and gender-preference programs.
	11.6	Develop methods for monitoring and data collection.
	11.7	Prepare draft report on the recommendations. Review draft report with the Project Manager and make appropriate revisions.
	11.8	Submit final report with recommendations.
12.0 – Final Report	12.1	Compile all draft chapter reports into one for review by the Wilson Consulting Group team.
	12.2	Revise report base upon team comments.
	12.3	Present Draft Report to the Project Manager for review and comments.
	12.4	Discuss comments with Project Manager for clarification.
	12.5	Prepare Final Report.
	12.6	Conduct three presentations of the results of the Disparity Study.

Exhibit 2

TASK	MONTHS											
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
1.0 – Conduct Legal Analysis	■	■										
2.0 – Review Policies, Procedures and Programs		■	■	■	■							
3.0 – Conduct Data Collection	■	■	■	■	■							
4.0 – Conduct Market Area Analysis						■						
5.0 – Calculate Private Sector Availability						■	■					
6.0 – Conduct Availability Analysis						■	■	■				
7.0 – Conduct Regression Analysis							■					
8.0 – Conduct Utilization Analysis						■	■					
9.0 – Conduct Disparity Analysis								■				
10.0 – Personal Interviews, Focus Groups and Public Hearings						■	■	■				
11.0 – Recommend Narrowly Tailored Remedies for the DBE Policy and Programs									■	■		
12.0 – Final Report										■	■	■

* For presentations of the Final Report

Methodology

The following methodology outlines, in order, key components of the proposed availability and disparity studies.

1. Legal Analysis - The *Croson* decision. The 1989 U.S. Supreme Court decision in *City of Richmond v. J.A. Croson Company* established the current judicial standard of review for State and local governments that take race into account when awarding contracts. Legal challenges to State members and local MBE programs are considered based on the guidelines set forth in this decision. Strict scrutiny standard of review. In *Croson*, the U.S. Supreme Court ruled that State and local governments' classifications and policies that are based on race are "inherently suspect" and will be upheld by the courts only if they can withstand "strict judicial scrutiny". This is the most restrictive standard that could have been applied by the Court. In other words, the Court set a very high bar for local governments to meet if they chose to operate and defend race-conscious programs. The strict scrutiny standard requires minority business programs to be predicated upon two factors.

First, a "compelling governmental interest" as evidenced by ongoing effects of past or present discrimination against minority-owned businesses must first be established. If it can be shown that the jurisdiction or agency is a "passive participant" in a pattern of marketplace discrimination, a jurisdiction or agency has a compelling governmental interest in addressing that discrimination even if there is no evidence that it is an active participant in such discrimination. Second, programs must be "narrowly tailored" to remedy the effects of such discrimination. In other words, programs must not be overly broad; rather, they should be narrowly designed to address the specific forms of discrimination identified by the jurisdiction or agency. The least restrictive types of remedies must first be considered. More restrictive remedies can be considered only if these less restrictive approaches appear to be insufficient to remedy the effects of the identified discrimination. The scope and duration of the remedy must not exceed the scope and duration of the identified discrimination.

The Western States Paving decision. In *Western States Paving Co. v. Washington Department of Transportation*, the Ninth Circuit Court of Appeals addressed the extent upon which state DOTs can rely upon the federal DBE regulations in justifying their state programs. The Ninth Circuit held that the federal DBE program is constitutional on its face, i.e., it is narrowly tailored to meet the compelling national interest of discrimination in the transportation industry. The Court also held that states may rely upon the TEA-21 and the federal regulations to establish a compelling national interest. However, states are required to show evidence of discrimination within the state's contracting industry in order to show that their programs are narrowly tailored. The states must provide evidence of discrimination in the construction industry, and must show that their remedial programs are limited to those minority groups that have actually suffered discrimination and who have the capacity to perform such work. The states must also show the proportion of the DBE goal that can be achieved through race-neutral means. The Court held that the states must conduct their own disparity studies in compliance with the following sections.

Prima facie evidence of discrimination. Evidence falling short of "proof" of discrimination is relevant in considering whether a jurisdiction has met the strict scrutiny standard. *Croson*

required jurisdictions to have a "strong basis in evidence" of discrimination "approaching a prima facie case". For this study, evidence that is probative but that falls short of "proof" of discrimination will be considered. BBC employs research methods consistent with examining prima facie evidence of discrimination.

Evidence of societal discrimination. The U.S. Supreme Court State in *Croson* that evidence of "societal" discrimination would not meet the strict scrutiny standard. For purposes of this study, "societal discrimination" may be forms and incidents of discrimination that do not directly affect procurement outcomes in the relevant market that is the subject of the study. For example, if a country club in Montana excluded women as members, that discrimination would not be pertinent to a disparity study unless contacts established at this club or business conducted at the club, were important to business owners.

Standards of Review for Gender-based Programs. Lower courts have sometimes applied a less restrictive standard of review for programs that assist women-owned businesses "intermediate scrutiny". For purposes of this study, Wilson Consulting will perform the same types of analyses to assess whether there is a need for gender-conscious programs as conducted to assess race-conscious programs.

2. Policies, Procedures and Programs - To conduct this review our team will collect written documents addressing the State's procurement policies, procedures and programs. From the document review, interviews will be conducted with key personnel. In addition, interviews will be conducted to address the DBE and non-minority firms experience with the policies, procedures and programs. This review will also analyze the impact the Race/Gender Neutral and Preference Program. This review will also analyze the impact of the Race/Gender Neutral and Preference Program. These analyses will assist in administering the program and for the potential establishment of a statewide overall DBE goal.

3. Data Collection – For collection of relevant market area and utilization data, Wilson Consulting will request the State provide electronic files of all contracting, purchasing and/or accounts payable records for the six year study period. All available contracts will be included in this study. The information on prime contractors and subcontractors includes location of business, type of project (NAICS), dollar value of contract and date of purchase or payment. While the electronic data will be sufficient for the prime level of analyses, we may need to go other sources for subcontractor information. Most government agencies collect information on DBE subcontractors; however, they typically do not collect information on non-minority subcontractors. Wilson Consulting believes that the same types of analyses should be conducted for both minority and non-minority firms when possible. Therefore, a contract data collection process is necessary to tabulate subcontractor payments. If the subcontracting data is not available electronically, we propose to collect subcontractor data manually.

4. Relevant Market Area Analysis - Establishing the relevant market area is important to the balance of the study. The relevant market area will establish the geographic area from which study data can be included. From the contract data, the market area analysis will include:

- State's prime contractors;
- State's subcontractors;

- Total dollars awarded;
- Total number of contracts awarded;
- Dollar amount of contracts;
- Percent of dollars awarded compared to the total dollars expended;
- Percent of contracts awarded compared to the total contracts awarded;
- State location of each contractor;
- Percent of contracts awarded by transportation modal; and,
- Percent of contracts awarded by geographical region.

From this data the dollars awarded by each county will be ordered from the county with the least dollars to the county with the most. The relevant market area is established of the counties that were awarded 75 percent of all contracts.

5. Private and Public Sector Economic Impact Analysis – Various sources of economic data will be used to analyze if there is discrimination in the private sector market place. Wilson Consulting will use data from the National Survey of Small Business Finances (NSSBF) conducted by the Federal Reserve Board and the U.S. Small Business Administration, the Current Population Survey (CPS) and the Five Percent Public Use Microdata Samples (PUMS) from the 2000 decennial census. These data are used to examine the incidence of minority and female business ownership (self-employment) and the earnings of minority and female business owners across the U.S. and within the State regions. The 2000 PUMS contains observations representing five percent of all U.S. housing units and the persons in them (approximately 14 million records) and provides the full range of population and housing information collected in the most recent census. Business ownership status is identified through the “class of worker” variable, which allows us to construct a detailed cross-sectional sample of individual business owners and their associated earnings. The CPS is the source of official government statistics on employment and unemployment and has been conducted monthly for over 40 years by the U.S. Census Bureau and the U.S. Department of Labor. Currently, about 56,500 households are interviewed monthly. Households are scientifically selected on the basis of residence to represent the nation as a whole, individual States and large metropolitan areas.

Since this analysis is based on sampling the total population, multivariate analysis techniques will be used to estimate the total market of ready, willing, and able firms. Wilson Consulting Group, Inc utilizes a combination of state of the art statistical techniques to ensure that the relevant numbers of capable firms are being analyzed.

6. Availability Analysis - One of the most important aspects of a disparity study is the availability analysis. Many disparity studies have been challenged and as part of the litigation strategy, targeted the availability analysis. To dissuade challenges, Wilson Consulting utilizes a conservative approach to establishing the availability of DBEs and non-minority firms.

Great care is taken to identify existing firms in the market area; removing duplicate firms; validating the ethnic or gender classification and any program requirements that may impact the analysis. The primary availability data will come from the State by using its prime and subcontractors; DBE directory and vendor files. This data will be supplemented with the assistance of other government agencies, business associations, Dunn and Bradstreet and DBE organization.

7. Utilization Analysis – A detailed utilization analysis will be conducted using the data collected as outlined in Number Four above. The analysis will be reported with the following variables: minority groups, woman, non-minority groups and DBEs collectively; by year and in summary; by number of contracts/purchase orders; by number of firms/vendors used; by dollar amount and percentages; by modal; by region, census track and by business category.

8. Disparity Analysis - When the utilization and availability analyses have been completed, the disparity analysis is conducted and is reported in a disparity index. The general formula for the Disparity Index is the ratio of the percentage of utilization and the percentage of availability times 100.

For disparity and/or statistics to have any probative value and establish a prima facie case, a high probability the disparity between DBE and non-DBE resulted from discrimination. This is typically established by having a disparity index of less than 80.

The disparity analysis will be reported with the following variables: minority groups, woman, non-minority groups and DBEs collectively; by year and in summary; by number of contracts/purchase orders; by number of firms/vendors used; by dollar amount and percentages; by modal; by region, census track and by business category.

9. Anecdotal Data Collection and Analysis – In *Western States Paving Company v. Washington State Department of Transportation* the 9th Circuit indicated that Washington state must proffer evidence of discrimination to implement a narrowly-tailored race-conscious remedial program. Pursuant to this case, D. Wilson Consulting Group proposes the use of public hearings and individual interviews as the methods of obtaining anecdotal evidence to support any statistical findings concerning discrimination found during Montana's study. Specifically, D. Wilson Consulting Group proposes conducting the following activities: not less than 40 personal interviews, 5 focus groups, and 5 public hearings. The methods used for soliciting anecdotal evidence will specifically address the findings in tasks 3.4.2.1, 3.4.2.2, 3.4.2.3 and 3.4.2.4. The interviews will include firms that provide general construction services, professional services, supplies and manufactured items.

Individual interviews

D. Wilson Consulting Group will design interview instruments which will solicit anecdotal information concerning specific instances of discrimination, barriers to obtaining bonding and financing, disparities in business formation and earnings and the extent the DBE program promotes or positively influences subcontracting opportunities for DBE and non-DBE firms. The interview instrument will request both supportable and generalized information, and request suggestions for improving contracting procedures.

D. Wilson Consulting Group will conduct no less than 40 personal interviews. 8 personal interviews of DBE and non-DBE firms will be conducted in each Region. The interviews will be scheduled based upon a random sample of available firms identified in task 3.4.1.3. The purpose of the interviews is to gather anecdotal data concerning specific instances of discrimination and barriers to contracting for performance of work in the United States Department of Transportation federally funded highway/airports/transit contracts within Montana. D. Wilson

will keep detailed notes and records of the interviews. D. Wilson Consulting Group will obtain signed affidavits from all interviewees attesting to the accuracy of the information provided during the interviews.

Public Hearings

D. Wilson Consulting Group will conduct one public hearing in each Region. The public hearing is designed to illicit testimony concerning specific instances of discrimination experienced by DBE and non-DBE firms attempting to perform work on United States Department of Transportation federally funded highway/airports/transit contracts within Montana. D. Wilson Consulting Group will provide a hearing officer and panel to gather anecdotal evidence concerning contracting experiences with the Montana Department of Transportation including disparate treatment, contracting barriers and suggestions for improvement.

Focus Groups

D. Wilson Consulting Group will conduct 5 focus groups, one in each Region. Each focus group will include prime contractors only. The purpose of the focus group is to gather anecdotal information on DBE utilization from their perspective. D. Wilson Consulting Group shall develop a questionnaire for Prime Contractors to be distributed to all attendees. D. Wilson Consulting Group shall collect completed questionnaires at the end of each focus group.

10. Recommend Narrowly Tailored Remedies for the DBE Policy and Programs - At the conclusion of the study, D. Wilson Consulting Group may recommend modifications of the State's procurement system and changes to its DBE program. A detailed review will include:

- Procurement policies;
- Procurement practices;
- Evaluation of current race- and gender-based programs as they apply to each industry;
- Develop Race and Gender neutral and, if necessary, Race and Gender specific goals; and,
- Create additional safeguards to prevent discrimination from affecting DBE firms.

5.0 Cost Submittal - D. Wilson Consulting Group understands and will comply.

TASK	PROJECT DIRECTOR		SENIOR CONSULTANTS		CONSULTANTS		DATA MANAGER QUALITY CONTROL		DATA ANALYST		PROJECT TOTALS	
	RATE \$ 71.42		RATE \$ 71.42		RATE \$ 47.61		RATE \$ 28.54		RATE \$ 22.42			
	HRS.	COST \$	HRS.	COST \$	HRS.	COST \$	HRS.	COST \$	HRS.	COST \$	HRS.	COST \$
1 Conduct Legal Analysis	24	\$1,714.08	80	\$5,713.60		\$0.00		\$0.00		\$0.00	104	\$7,427.68
2 Review Policies, Procedures and Programs	40	\$2,856.80	120	\$8,570.40		\$0.00		\$0.00		\$0.00	160	\$11,427.20
3 Conduct Data Collection	160	\$11,427.20	120	\$8,570.40	80	\$3,808.80	360.00	\$10,274.40	2160	\$48,427.20	2880	\$82,508.00
4 Conduct Market Area Analysis	40	\$2,856.80	0	\$0.00	40	\$1,904.40	80.00	\$2,283.20		\$0.00	160	\$7,044.40
5 Calculate Private Sector Availability	40	\$2,856.80	80	\$5,713.60	120	\$5,713.20		\$0.00		\$0.00	240	\$14,283.60
6 Conduct Availability Analysis	40	\$2,856.80	120	\$8,570.40	40	\$1,904.40	80.00	\$2,283.20		\$0.00	280	\$15,614.80
7 Conduct Regression Analysis	4	\$285.68	24	\$1,714.08		\$0.00		\$0.00		\$0.00	28	\$1,999.76
8 Conduct Utilization Analysis	32	\$2,285.44	32	\$2,285.44	32	\$1,523.52	80.00	\$2,283.20		\$0.00	176	\$8,377.60
9 Conduct Disparity Analysis	40	\$2,856.80	40	\$2,856.80		\$0.00	80.00	\$2,283.20		\$0.00	160	\$7,996.80
10 Personal Interviews, Focus Groups and Public Hearings	40	\$2,856.80	24	\$1,714.08		\$0.00		\$0.00		\$0.00	64	\$4,570.88
11 Recommend Narrowly Tailored Remedies for the DBE Policy and Programs	40	\$2,856.80	120	\$8,570.40	80	\$3,808.80		\$0.00		\$0.00	240	\$15,236.00
12 Reports	80	\$5,713.60	80	\$5,713.60	80	\$3,808.80	80.00	\$2,283.20	40	\$896.80	360	\$18,416.00
Sub-total	436	\$41,423.60	560	\$59,992.80	472	\$22,471.92	760.00	\$21,690.40	2200	\$49,324.00	4428	\$194,902.72
TOTAL LABOR COST	436	\$41,423.60	560	\$59,992.80	472	\$22,471.92	760.00	\$21,690.40	2200	\$49,324.00	4428	\$194,902.72
OVERHEAD AND PROFIT					150.00%					\$292,354.08	\$321,589.49	
					10%					\$29,235.41		
										\$321,589.49		
DIRECT EXPENSES											\$41,810.00	
Airline	24	\$600.00		\$14,400.00								
Rental Cars	45	\$60.00		\$2,700.00								
Hotel	90	\$110.00		\$9,900.00								
Per Diem	90	\$109.00		\$9,810.00								
Software Programming	1	\$5,000.00		\$5,000.00								
TOTAL DIRECT EXPENSES										\$41,810.00	\$41,810.00	
SUBCONSULTANTS EXPENSE											\$90,431.25	
Fields and Brown, P.A.										\$81,125.00		
JEM Technology										\$5,000.00		
Administrative Fee									5%	\$4,306.25		
TOTAL FOR TASK											\$648,733.46	

5.1 Cost Schedule – D. Wilson Consulting Group understands and will comply.

Our proposed total, not to exceed, cost for this project is: **\$648,733.46**.

5.2 Project Budget - D. Wilson Consulting Group understands and will comply.

5.3 Cost Revisions - D. Wilson Consulting Group understands and will comply.

6.0 Evaluation Criteria - D. Wilson Consulting Group understands and will comply.

Appendix A: Standard Terms and Conditions - D. Wilson Consulting Group understands and will comply.

Appendix B: Contract - D. Wilson Consulting Group understands and will comply.